

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

MARIA ALEJANDRA CELIMEN SAVINO,
JULIO CESAR MEDEIROS NEVES, and all
those similarly situated,

Petitioners-Plaintiffs,

v.

STEVEN J. SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617 WGY

ORAL ARGUMENT REQUESTED

MOTION TO COMPEL COMPLIANCE WITH RULE 34 NOTICE OF INSPECTION

Pursuant to Federal Rule of Civil Procedure 37, and Local Rules 7.1 and 37.1 Petitioners-
Plaintiffs Maria Alejandra Celimen Savino, Julio Cesar Medeiros Neves, and the class of civil
immigration detainees that has been certified in this matter (collectively, “Plaintiffs”), hereby
request an order compelling Defendant to allow them to inspect the Bristol County House Of
Correction (“BCHOC”) facilities consistent with their Federal Rule of Civil Procedure 34
subpoena for inspection.

As grounds for this motion, Plaintiffs rely on (1) their concurrently filed Memorandum of
Law in Support of Motion to Compel Compliance with Rule 34 Notice of Inspection; (2) the
Declaration of Andy O’Laughlin; and (3) the Exhibits attached thereto. A proposed order
allowing Plaintiffs access to perform an inspection of BCHOC facilities under special conditions
to ensure public health and safety in light of the current COVID-19 pandemic is filed herewith.

WHEREFORE, Plaintiffs respectfully request that the court enter the proposed order to
facilitate their Rule 34 inspection.

October 23, 2020

Respectfully Submitted,

-/s/ Andy O'Laughlin -

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REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Plaintiffs respectfully request oral argument to address this motion as such argument will assist the Court in addressing the issues raised herein.

October 23, 2020

-/s/ Andy O'Laughlin -
Andy O'Laughlin

**CERTIFICATE OF COMPLIANCE WITH
FED. R. CIV. P. 37(a)(1) AND LOCAL RULES 7.1 AND 37.1**

I, Andy O'Laughlin, hereby certify pursuant to Fed. R. Civ. P. 37(a)(1) and Local Rules 7.1(a)(2) and 37.1(b) that counsel in this matter have held discovery conferences by telephone and email exchange over an extended period of time from July 14, 2020 through October 23, 2020, in order to determine whether the disputed issues, as articulated in the accompanying Memorandum of Law, could be resolved, but no agreement was reached. The Plaintiffs' efforts to resolve the disputed issues without a motion to compel are discussed more fully in the accompanying Memorandum of Law.

October 23, 2020

-/s/ Andy O'Laughlin -
Andy O'Laughlin

CERTIFICATE OF SERVICE

I hereby certify that, on October 23, 2020 a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of this court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF system.

October 23, 2020

-/s/ Andy O'Laughlin -
Andy O'Laughlin